

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO

RICHARD L. BELL

Plaintiff,

V.

MICHAEL J. ASTRUE,  
Commissioner of Social Security,

Defendant.

CASE NO. 1:11-CV-2092

## ORDER & JUDGMENT

JAMES S. GWIN, UNITED STATES DISTRICT JUDGE:

On December 22, 2011, Magistrate Judge Vecchiarelli filed a Report & Recommendation recommending that Plaintiff Richard Bell’s complaint be dismissed. *See* [Doc. [11](#)]. On January 4, 2012, Bell filed a “Motion for Reconsideration and Objections to the Magistrate’s Report and Recommendation,” asking “that the Magistrate [Judge] reconsider her determination that this case should be dismissed.” [Doc. [12](#)]. The Court construed this as motion for Magistrate Judge Vecchiarelli to reconsider her Report & Recommendation and Magistrate Judge Vecchiarelli—in an order denying Bell’s motion for reconsideration—warned Bell that “[a] party may not seek review of a Magistrate Judge’s order by both the Magistrate Judge in a motion for reconsideration and the District Judge in an objection simultaneously.” [Doc. [13](#), at 3 n.1]. Since that time, Bell has not filed any objections to Magistrate Judge Vecchiarelli’s Report & Recommendation or her order denying Bell’s motion for reconsideration.



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Gwin, J.

Accordingly, the Court **ADOPTS** Magistrate Judge Vecchiarelli's Report & Recommendation and, for the reasons provided in that Report & Recommendation, **DISMISSES** Plaintiff's complaint. This action is **TERMINATED** under Federal Rule of Civil Procedure 58.

IT IS SO ORDERED.

Dated: May 11, 2012

s/ *James S. Gwin*  
JAMES S. GWIN  
UNITED STATES DISTRICT JUDGE